

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:16-00101

CHRISTIAN RYAN BOWLES

MEMORANDUM OPINION AND JUDGMENT ORDER

Pending before the court is defendant's proposed Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2), filed on February 20, 2024, which the court construes as a motion for relief brought pursuant to 18 U.S.C. § 3582(c)(2), to reduce defendant's sentence based on a subsequent reduction in the applicable sentencing guidelines with respect to criminal history.

On November 1, 2023, a multi-part criminal history amendment designated as Amendment 821 in Appendix C to the *Guidelines Manual* became effective. Pursuant to 18 U.S.C. § 3582(c)(2) "the court may reduce the term of imprisonment ... if such a reduction is consistent with applicable policy statements issued by the Sentencing Commission." Inasmuch as the policy statement at U.S.S.G. §1B1.10 Appl. Note 8(A) states


"[o]nly a term of imprisonment imposed as part of the original sentence is authorized to be reduced under this section. This section does not authorize a reduction in the term of imprisonment imposed upon revocation of supervised release." Id.

Mr. Bowles completed his court-imposed sentence of 18 months on his offense of conviction in this case and began his three-year term of supervised release on August 11, 2017. On April 22, 2019, pursuant to a Petition, the defendant's supervised release was revoked, and he was sentenced to imprisonment for 24 months on the revocation.

Inasmuch as the defendant in this criminal action, has served his imprisonment term originally imposed on the offense of conviction in this case, the defendant is not eligible for a reduction of his sentence of imprisonment on his supervised release revocation. Accordingly, his motion for a reduction of his sentence in this criminal action is hereby ORDERED denied.

The court DIRECTS the Clerk to send a copy of this Order to Defendant, the United States Attorney, the United States Probation Office, and the United States Marshals.

ENTER: May 31, 2024



John T. Copenhaver, Jr.
Senior United States District Judge